

Amendment under 37 C.F.R. § 1.111  
U.S. Application No. 10/058,076

### **REMARKS**

Claims 1-11 are pending in the above-identified application. New claim 11 has been added. Claims 8-10 have been withdrawn from consideration as being drawn to a non-elected invention. Claim 1 has been rejected under 35 U.S.C. § 103(a). Further, the Examiner has indicated that claims 2-7 contain allowable subject matter, but are objected to due to their dependency upon rejected claim 1.

#### **Preliminary Matters**

The Examiner has not acknowledged the drawings filed on January 29, 2002. Accordingly, Applicant respectfully requests that the Examiner indicate, in the next Office Action, whether such drawings are acceptable.

Also, Applicant has amended the specification to correct a minor error.

#### **Rejection under 35 U.S.C. § 103(a)**

The Examiner has rejected claim 1 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,236,539 to Morita et al. ("Morita") (assigned to Fuji Photo Film Co, Ltd.). However, Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites that a tape leader pin and a spring member are both formed of a same type of material, where the type of material is a metal.

The Examiner maintains that element 21 of Morita discloses the claimed tape leader pin and element 540 discloses the claimed spring member (Figs. 1 and 40). However, Morita does

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not disclose that both the alleged tape leader pin 21 and the alleged spring member 540 are formed on the same type of material, as recited in claim 1. In particular, the reference does not disclose that both features are formed of a metal.

Accordingly, Applicant submits that claim 1 is patentable over the cited reference, and respectfully requests the Examiner to reconsider and withdraw the rejection.

#### Allowable Subject Matter

As stated above, the Examiner has indicated that claims 2-7 contain allowable subject matter, but are objected to due to their dependency upon a rejected base claim. Accordingly, Applicant has rewritten claim 2 into independent form, and submits that such claims are now in condition for allowance.

#### Newly Added Claims


Applicant has added claim 11 to provide more varied protection of the present invention. Applicant submits that such claim is patentable at least by virtue of its dependency on claim 5.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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